



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
& ENVIRONMENTAL CONTROL  
DIVISION OF AIR & WASTE MANAGEMENT

OFFICE OF THE  
DIRECTOR

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6 March 2007

Mr. Charles L. Baker  
General Manager  
Department of Land Use  
New Castle County Government  
87 Reads Way  
New Castle, DE 19720

**Re: Hercules Road Property aka Delaware National Golf Course  
400 Hercules Road (DE – 1323); aka NCCo Application #2003-1458(S)**

Dear Mr. Baker:

I am writing to provide you initial results of the review by the Department of Natural Resources and Environmental Control (the "Department") Division of Air and Waste Management regarding the above-captioned site. As I indicated in my January 19, 2007 letter to you, the Department offered "to provide technical assistance and review to ensure that necessary investigation and cleanup procedures are followed scrupulously to ensure protection of human health and the environment." Although we have met to determine how the Department and the County would work together to ensure protective and effective cleanup of the site, the final Memorandum of Agreement (MOA) between our agencies has not yet been executed. Nonetheless, I am confident the language of such an MOA will be finalized soon to establish the details of the framework for the Department to provide the County with technical oversight and assistance regarding the investigation and cleanup of the site. Accordingly, we demanded of Toll Brothers additional sampling of the site, which they performed, and eventually sent a letter (from DNREC project manager Stephen Johnson, P.E.) to their consultant, Brightfields Inc., indicating that the Remedial Investigation was technically sufficient to proceed to the next step of the cleanup process. Of course, more sampling of site will be performed during and after the clean to ensure more complete site evaluation and effective cleanup.

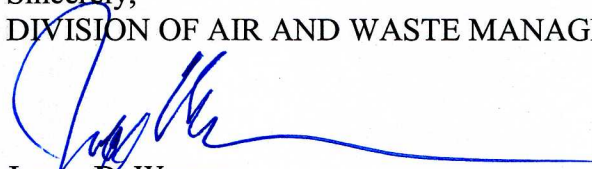
The next step of the cleanup process is to develop a proposed remedial action plan for the site, and offer it for public review. I write today to convey the proposed remedial action plan by Brightfields Inc. (Attachment A), which they developed on behalf of Toll

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Brothers. Also attached is a copy of the public notice to solicit comments, which will be published in the *News Journal* newspaper, similar to the process for any cleanup site under the Hazardous Site Cleanup Act. The Department has reviewed the remedial investigation and the attached proposed remedial action for the subject site and determined that they meet the substantive technical requirements for the Hazardous Substance Cleanup Act. I want to emphasize that the proposed remedial action for this site is "proposed" not "final", and the Department will conduct further review and make a determination only after the public comment period closes and the Department reviews and fully considers the comments submitted.

Please do not hesitate to call me, or our project officer, Stephen Johnson, P.E. (395-2600) if you have any questions.

Sincerely,  
DIVISION OF AIR AND WASTE MANAGEMENT



James D. Werner  
Director

Cc: Curt Hatfield, Brightfields  
Jeff Bartos, Toll Brothers  
Andrew Semon, Toll Brothers  
The Honorable Patricia M. Blevins  
The Honorable Deborah D. Hudson

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Attachments: 2